

Industrial Property

Canada, the approval of the parliament of Canada should be first obtained. It would appear, nevertheless, that through inadvertence or otherwise this international convention for the protection of industrial property which was signed on behalf of Canada on November 6, 1925, and which was formally ratified on behalf of Canada on May 1, 1928, was not laid upon the table of the house until I did so on Friday last. In the meantime representations have been made to the government with regard to carrying out the terms of that convention which really, so far as this bill is concerned, largely affect trade marks.

In order that this convention may be carried into effect I have introduced this bill respecting unfair competition in trade and commerce, which in turn necessitates many amendments to the existing Trade Marks and Designs Act, which is chapter 201 of the revised statutes of Canada, 1927. In case this bill passes a second reading I shall ask the favourable consideration of the house to a motion to refer it to a select special committee before which those who are interested in the question of trade marks may appear and present their views for the information of the house.

Mr. MACKENZIE KING: Mr. Speaker, my hon. friend has dealt at some length with the international convention and the labyrinth of stages through which it has passed over a period of years, but he has not yet answered the question as to what constitutes the element of unfair competition.

Mr. CAHAN: The element of unfair competition dealt with has to do with the use of trade marks and industrial designs which affect international trade, and it is that phase of unfair competition with which this bill is concerned. I will be prepared at a later time to enter upon a discussion of the terms of the bill which deal particularly with trade marks. My right hon. friend is well aware that for some time past there have been grave doubts cast upon the constitutional validity of our present Trade Marks Act, but I suggest that the bill is so framed that it will be valid under our constitution, particularly as it, in terms, expressly states that it is for the enforcement of an international convention to which the empire, including Canada, was a party, and which this parliament is called upon to enforce.

Motion agreed to and bill read the first time.
[Mr. Cahan.]

CANADIAN DESTROYERS

On the orders of the day:

Mr. J. S. WOODSWORTH (Winnipeg North Centre): I should like to direct a question to the Minister of National Defence (Mr. Sutherland). On January 26 an American despatch from Washington, D. C. announced that two Canadian ships were guarding the port of Acajutla, Salvador. The despatch reads:

Washington, D.C., Jan. 26.—The two Canadian destroyers, Skeena and Vancouver, are standing by alone to-day off the Salvador port of Acajutla. The two United States destroyers have moved to La Libertad.

May I ask under whose authority our fleet is in these foreign waters?

Hon. D. M. SUTHERLAND (Minister of National Defence): The two destroyers in question were on their usual winter cruise which this year was taking them down past Central America through the canal to the West Indies. At the time that they were practically passing this place Acajutla in the republic of Salvador, these troubles broke out. There were a number of British citizens there and it was thought advisable that the ships put in at that port and be available for the protection of British subjects should it become necessary.

Mr. MACKENZIE KING: Will the minister assure the house that this incident has nothing to do with any attempt to blast a way into the markets of South America?

SURVEY OF NATIONAL PORTS

On the orders of the day:

Hon. IAN MACKENZIE (Vancouver Centre): May I ask the Minister of Marine (Mr. Duranleau) when he expects to be able to present to parliament the report of Sir Alexander Gibb.

Hon. ALFRED DURANLEAU (Minister of Marine): We shall have to have the report before it can be tabled. It has not yet been received but we hope to have it within ten or fifteen days.

REPORT ON MARITIME FISHERIES

On the orders of the day:

Hon. J. L. RALSTON (Shelburne-Yarmouth): I might ask the Minister of Marine (Mr. Duranleau) as Acting Minister of Fisheries whether the report of Cockfield, Brown & Company with regard to the fisheries of the maritime provinces has been received, and, if so, when he expects to be able to lay it on the table of the house.